

Attorney Docket No. Q64615
PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/875,890

REMARKS

Applicants thank the Examiner for acknowledging their claim to priority and receipt of the certified copy of the priority document.

Claims 1-10 are all the claims pending in the application.

1. The Examiner has objected to the Abstract and claim 9 for informalities.

Applicants have made amendments as suggested.

2. Claim 9 stands rejected under 35 U.S.C. 112, second paragraph, for indefiniteness. Applicants have amended claim 9 to provide antecedent basis for the limitation "on it" in line 10.

3. Claims 1 and 3-8 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over USP 6,230,024 to Wang. Applicants respectfully disagree.

Claim 1 recites a method for transferring a process command from a wireless telecommunications device to a terminal, comprising: generating the process command on the wireless telecommunications device, transferring a radio signal related to the process command from the wireless telecommunication device to a base station, and applying some rules on the computer to select the terminal being in a same cell of the cellular telecommunications system as the base station which received the radio signal. Accordingly, the selected terminal is in the same cell as the base station which received the radio signal carrying the process command generated by the wireless telecommunications device. Wang fails to teach or suggest this feature.

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Wang found that the prior art method for transmitting digital faxes over a wireless communication link requires the calling party to call twice, and is inefficient in terms of resources and user time. Wang's purpose is to provide a mobile station and a base station which allows an ongoing voice call to be converted to a digital fax call without forcing the user to relinquish the line and to reestablish a call for the purposes of transmitting digital fax. As shown in Fig. 1 of Wang, a fax capable digital terminal 102 is connected to a mobile station 104. Mobile station 104 communicates with a base station 112, which in turn, communicates with an MSC 120. The MSC 120 is coupled to a fax machine 124 through a public switch telephone network (PSTN) 128.

First, in Wang, the signal is converted during an ongoing call between already coupled fax capable digital terminal 102 and the fax machine 124. Wang does not need terminal selection.

Second, there is nothing in Wang indicates that the base station 112 and the fax machine 124, communicating with the base station 112 via the PSTN 128, are in the same cell of the cellular telecommunications system.

Thus, Applicants respectfully submit that claims 1 and 3-8 are patentable, and request that the 103(a) rejection be withdrawn.

4. Claims 2, and 9-10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Wang in view of USP 6,195,545 to Baker et al. The Examiner has asserted that Baker teaches a processing means for performing a selection between terminals for finding a terminal,

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being in the same cell as the wireless telecommunication device generating the process command. Applicants respectfully disagree.

First, there is not suggestion or motivation for a skilled artisan to combine Wang and Baker. Baker's purpose is to provide a proximity-based registration in a business communication system including an enterprise switch which directs calls from one or more incoming trunks to various user terminals, such that a mobile station can be registered to different complex system terminals (e.g., a complex wireless terminal 123, a deskset 126, and an advanced terminal 127 in Fig. 1) as it moves between different cells of the system to get permission to utilize the functions of these terminals. Given the different goals of Wang and Baker, there is not reason for a skilled artisan to combine the two references.

In addition, Baker fails to teach the recited processing means which performing a selection between terminals. To get permission to utilize the functions of a complex system terminal, a mobile station in the Baker system must be registered to the complex system terminal first. However, in Baker, the complex system terminal is chose by the user of the mobile station, not by the enterprise switch.

Baker provides three ways through which a mobile station can register with a deskset terminal: (1) the user dials a Registration Feature Access Code (FAC) followed by a deskset Directroy Number (DN) from the mobile station; (2) the user dials the Registration FAC followed by the mobile DN from the deskset; or (3) the mobile station fulfills a proximity based registration condition for the deskset (Baker, col. 9, lines 2-7). The proximity of a given user to

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a system terminal is determined by detecting a signal transmitted by a beacon device carried by the user (Baker, col. 2, lines 21-25).

Thus, even if a skilled artisan were to combine Wang and Baker, the combination would not result in the invention of claim 9.

Accordingly, Applicants submit that claims 9 and 10 are patentable over the combination of Wang and Baker, and respectfully request that the 103(a) rejection be withdrawn.

The Examiner has asserted that claim 2 is rejected for the same reasons as claim 9. Applicants respectfully disagree, because claim 2 and claim 9 recite different features. Claim 2 is directed to a method for transferring a process command comprising: applying some rules on a computer to select the terminal being in the same cell of the cellular telecommunications system as the base station which received the radio signal, and selecting the terminal by a user with the help of a restricted list of terminals in the same cell. In other words, the method of claim 2 first selects terminals in the same cell with the computer, and then selects a terminal from the terminals in the same cell. Claim 9 does not mention selecting a terminal by a user.

Although in Baker, a terminal is selected by a user, as discussed above, Baker does not teach selecting a terminal with the computer, thus failing to provide deficiencies of Wang. Accordingly, even if Wang and Baker are combinable, the combination of Wang and Baker does not teach or suggest claim 2 either. Claim 2 is patentable for this additional reason as well.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

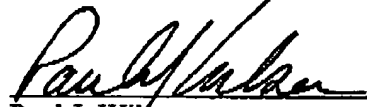
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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this AMENDMENT UNDER 37 C.F.R. § 1.111 is being facsimile transmitted to the U.S. Patent and Trademark Office this 15th day of February, 2005.



Mariann Tam